

Office Action Summary

Application No.

10/542,585

Applicant(s)

HUTTER ET AL.

Examiner

ALINA N. BOUTAH

Art Unit

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>9/18/09</u> . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/29/09</u> . | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment June 29, 2009. Claim 8 has been cancelled. Applicant is reminded that the non-elected claim 9 must be cancelled should this application become allowed.

Information Disclosure Statement

The IDS submitted June 29, 2009 has been considered.

Drawings

The original drawing as filed was acceptable.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites: "the network protocols" and "the network stationss." There are insufficient antecedent basis for theses limitations in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Cheng (US 2002/0078161 A1).

Regarding claim 1, Cheng teaches a method for providing a changed input parameter from a network station in a network of a first type (abstract: i.e. UpnP device) to a network of a second type (abstract: i.e. non-UpnP device), which is connected via a gateway [0018 – UpnP enabling device 200 that bridges UpnP user control point to multiple non-UPnP-compliant devices 150] to the network of the first type, the network protocols of the first network of the second type failing to have a dedicated process for informing the network stations in said second about an input parameter change of a network station in said network for a first type in a normal operation state (this feature is inherent because the UPnP devices alone cannot control the non-UpnP devices, which is why the UpnP enabling device is needed to emulate the non-UPnP devices), wherein the network station from the network of the first type which has a changed input parameter logged off by the gateway in the network of the second type, in that the changed input parameter is mapped onto an information element which is known in the network of the second type, and the network station from the network of the first type which has changed input parameter is then

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once again logged on in the network of the second type, so that the network stations in the network of the second type are informed about the changed input parameter in a log on phase [0026: devices log off, 0028 and 0029: whenever a device changes state, it notifies all subscribers of the event].

Regarding claim 2, Cheng teaches the method as claimed in claim 1, according to which the network of the first type is a network which is based on an international standard called HAVi Standard, where HAVi stands for Home Audio/Video Interoperability (abstract: HAVi device).

Regarding claim 3, Cheng teaches the method as claimed in claim 1, in which the network of the second type is a UpnP network, where UPnP stands for Universal Plug and Play (abstract: UpnP device).

Regarding claim 4, Cheng teaches the method as claimed in claim 1, in which the logging-off and logging-on again of the network station from the network of the first type, which relates to the input parameter are carried out in accordance with the Simple Service Discovery Protocol SSDP, in particular using the ssdp::byebye logging-off message and the ssdp::alive logging-on message [figure 3, 0024].

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng in view of Dara-Abrams et al. US 6,456,892).

Regarding claim 5, Cheng fails to explicitly teach the method as claimed in claim 3, in which the input parameter is a HAVi defined UserPreferredName, which corresponds to the user defined name of a HAVi network station. In an analogous art, Dara-Abrams teaches an input parameter which is a HAVi defined serPreferredName, which corresponds to the user defined name of a HAVi network station (col. 36, lines 10-16). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ UserPreferredName parameter in order to allow the user to name the parameter according to his or her preferences, thus giving the user more control of the device.

Regarding claim 6, Cheng teaches the method as claimed in claim 5, in which the input parameter is mapped onto an information element of an XML appliance description for the HAVi network station which relates to the input parameter [table 1]. However, Henry does not explicitly teach wherein the UserPreferredName is mapped onto the information element FriendlyName of an appliance description for the HAVi

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network station which relates to the input parameter. In an analogous art, Dara-Abrams teaches an input parameter relating to user-defined name having an HAVi network station, in particular to the parameter UserPreferredName (col. 36, lines 10-16). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ UserPreferredName parameter in order to allow the user to name the parameter according to his or her preferences, thus giving the user more control of the device.

Regarding claim 7, Cheng fails to explicitly teach the method as claimed in claim 1, in which a text input menu is provided for user-defined inputting of the input parameter from a network station. However, Dara-Abrams teaches this deficiency in figure 7. At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Henry with the teaching of Dara-Abrams in order to allow user to easily define the device according to his or her preference.

Response to Arguments

Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALINA N. BOUTAH whose telephone number is (571)272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alina N Boutah/
Primary Examiner, Art Unit 2443